

REMARKS/ARGUMENTS

Claims 1-17 and 20-27 remain in this application. Claims 1, 11, 17, 25 and 26 have been amended. Claims 18 and 19 have been canceled.

1. Drawings

The Examiner has indicated in the accompanying form PTO-948 that the formal drawings previously submitted have been approved.

2. Objections

Claim 18 is objected to.

Claim 18 is canceled without prejudice or disclaimer.

Applicants submit that the objection has been obviated by the cancellation of Claim 18 and request removal of the objection.

2. § 103 Rejections

Claims 1-18 and 23-27 are rejected under 35 U.S.C. 103(a) as being unpatentable over Tager et al (US 2004/0208608) in view of Hayee et al (IEEE Photonics Technology Letters Vol. 9, NO. 9); Tager et al hereinafter referred to as Tager and Hayee et al hereinafter referred to as Hayee.

Claims 19 are rejected under 35 U.S.C. 103(a) as being unpatentable over Tager in view of Hayee in further view of Tsuritani et al (US 6,754,420); Tsuritani et al hereinafter referred to as Tsuritani.

In view of the claims as amended, the rejections are traversed.

Independent Claims 1, 11, 17, and 26 are currently amended to include a dispersion managed optical fiber span, the span comprising a plurality of optical fibers fused together serially, the plurality of optical fibers including first, second, and third optical fiber sections, the first optical fiber section having a dispersion of negative or

positive sign at a wavelength, the second optical fiber section having a dispersion of opposite sign at the wavelength, and the third optical fiber section having a dispersion of like sign at the wavelength. Support for these amendments can be found in the Application as originally filed, for example: Paragraph 0012, 0037, 0038, 0044, 0063, 0067, 0071, and 00105. Applicants submit that “plurality of optical fibers fused together serially” means that no device is interposed between those optical fibers, i.e. no amplifiers, switches, compensators, regenerators, or other devices such as optical devices, are interposed between the claimed first, second or third optical fiber sections.

Applicants further submit that neither Tager nor Hayee nor Tsuritani teaches or suggests such spans as currently claimed.

Applicants submit that Tsuritani merely teaches spans of positive dispersion fiber (e.g. 18-1) and negative dispersion fiber (e.g. 20-1), wherein the spans are deployed between optical repeating amplifiers (e.g. 16-1 and 16-2), or a span of only a positive dispersion fiber (e.g. 22).

The Patent Office points to Tsuritani col. 2 line 13-27 for teaching a wide dispersion compensating span that includes a first optical fiber with positive dispersion, a second optical fiber with negative dispersion, and a third optical fiber with the same configuration as the first optical fiber (i.e. with positive dispersion).

Applicants note that while Tsuritani col. 2 lines 25-27 states that “[t]he wide area dispersion compensating span consists of a third optical fiber having the same configuration and composition as the first optical fiber”, col. 3 lines 1-32 et seq. describe the embodiment shown in Fig. 1 having a wide dispersion compensating span that includes a third optical fiber with the same configuration as the first optical fiber. In particular, col. 3 lines 29-32 states that “[t]he wide compensating span consists of a positive dispersion optical fiber 22 alone that is composed of the same optical fiber as the positive dispersion optical fiber 18” (emphasis added). That is, Applicants submit that Tsuritani does not teach or suggest first, second, and third optical fiber sections, the first optical fiber section having a dispersion of negative or positive sign at a wavelength, the

second optical fiber section having a dispersion of opposite sign at the wavelength, and the third optical fiber section having a dispersion of like sign at the wavelength.

Claim 19 has been canceled without prejudice or disclaimer.

Claim 25 is currently amended to correct a minor omission regarding the word "the".

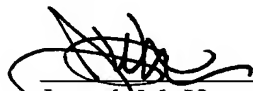
Based upon the above amendments, remarks, and papers of records, applicant believes the pending claims of the above-captioned application are in allowable form and patentable over the prior art of record. Applicant respectfully requests that a timely Notice of Allowance be issued in this case.

Applicant believes that no extension of time is necessary to make this Reply timely. Should applicant be in error, applicant respectfully requests that the Office grant such time extension pursuant to 37 C.F.R. § 1.136(a) as necessary to make this Reply timely, and hereby authorizes the Office to charge any necessary fee or surcharge with respect to said time extension to the deposit account of the undersigned firm of attorneys, Deposit Account 03-3325.

Please direct any questions or comments to Joseph M. Homa at 607-974-9061.

Respectfully submitted,

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